



10-28-03

10/27/03
J. Smith
11/12/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No 10/065,549

Confirmation no: 7682

Inventor: HART, Robert B.

Art Unit: 3611

Filing date 10/29/2002

Examiner Yeagley, Daniel S.

Washington, September 9th, 2003

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria

VA 22313-1450

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENTS

Sir;

This is to correct the amendment filed on 9/11/03 to comply with the 37 CFR section

1.121.

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The listing of claims will replace all prior versions , and listings, of claims in the application:

LISTING OF CLAIMS

Claim 1 (original)
Claim 2 (original)
Claim 3 (original)
Claim 4 (original)
Claim 5(original)
Claim 6 (canceled)
Claim 7 (currently amended)
Claim 8 (original)
Claim 9 (original)
Claim 10 (original)
Claim 11 (original)
Claim 12 (currently amended)
Claim 13 (original)
Claim 14 (original)
Claim 15 (original)
Claim 16 (original)
Claim 17 (original)
Claim 18 (original)



John Dodds

Attorney of the Applicant

Reg No. 45533

CC: file

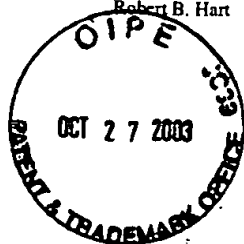


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,549	10/29/2002	Robert B. Hart	32994	7682

7590 10/16/2003
Dodds & Associates
1707 N Street NW
Washington, DC 20036



EXAMINER

YEAGLEY, DANIEL S

ART UNIT	PAPER NUMBER
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3611

DATE MAILED: 10/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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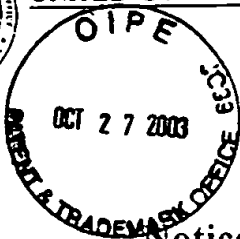
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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Paper No. 9

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 9/11/03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.

THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. ~~New~~ paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

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For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

X. Smith
Legal Instruments Examiner (LIE)